

## REMARKS

Reconsideration of this application as amended is respectfully requested.

Claims 9-13 and 22 are pending. Claim 22 has been amended. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

### Claim Rejections – 35 U.S.C. § 102(e)

Claims 9-13 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Woolston, (U.S. Patent No. 5,845,265, hereinafter “Woolston”). As discussed below, the pending claims are patentable over the above reference.

Woolston discloses a method for creating a computerized market for used and collectible goods. A user in Woolston is allowed to provide data pertaining to an item owned by the user. This data includes the owner’s name, reserve price and market or auction designation (Woolston, col. 10, lines 17-18). The item is then auctioned based on data provided by the item owner. In other words, Woolston allows a user to specify data for a good owned by the user and then uses this data to auction that specific good. In the presently claimed invention, in contrast, a user is not limited to providing data only for a good owned by the user. Instead, the user provides data pertaining to numerous goods. Moreover, the presently claimed invention discloses having trading primitives that dictate the behavior of a universal auction system with respect to a plurality of goods, and using these trading primitives to deploy the universal auction system and to manage trading of the plurality of goods in the universal auction system. Woolston does not teach or suggest the above features of the present invention that are included in the following language of claim 22:

... a market specification console configured to receive at least one market protocol from a user, the at least one market protocol including trading primitives

to dictate the behavior of the universal auction system with respect to a plurality of goods; and

a programmable auction server coupled to the market specification console via a network connection, the programmable auction server to receive the at least one market protocol defined by the market specification console, the programmable auction server to implement at least one of the trading primitives to deploy the universal auction system and to manage trading of the plurality of goods in the universal auction system.

Accordingly, the present invention, as claimed in claim 22 and its dependent claims 9-13, is not anticipated by Woolston. Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. § 102(e) and submits that the pending claims are in condition for allowance.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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Dated: January 17, 2006

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